

Carlos Hernández
Mayor

Luis Gonzalez
Council President

Katharine E. Cue-Fuente
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Isis Garcia-Martinez
Paul B. Hernández
Lourdes Lozano

City Council Minutes/ Summary Agenda June 13, 2017 7:00 P.M.

Call to Order - **Council President Gonzalez called the meeting to order at 7:12 p.m.**

Roll Call - **City Clerk, Marbelys Fatjo, called the roll with the following Council Members present:**

- Councilman Caragol (arrived at 7:14pm)
- Council Vice President Katharine Cue-Fuente
- Councilwoman Vivian Casáls-Muñoz
- Councilman Paul Hernandez
- Councilwoman Lourdes Lozano
- Councilwoman Isis Garcia-Martinez
- Council President Luis Gonzalez

Also present were:

- Mayor Carlos Hernandez
- Lorena Bravo, City Attorney

Invocation - **The invocation was led by Marbelys Fatjo, City Clerk**

Pledge of Allegiance to be led by Councilwoman Vivian Casáls-Muñoz

Meeting Guidelines

The following guidelines have been established by the City Council:

➤ **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited

to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

REPORT: The meeting guidelines were read into the record by the City Clerk in English, and by Lisette Perez, Administrative Aide, Office of the City Clerk, in Spanish.

Presentations – NONE

1. Announcement of Amendments/Corrections to the Agenda

- **Items D and E are being withdrawn from today's agenda.**

2. Consent Agenda-

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

REPORT: Councilman Hernandez requested Item G be removed from the Consent Agenda for separate discussion.

REPORT: Motion to Approve the Consent Agenda, except item G made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Casáls-Muñoz. Motion passed (7-0).

- A. Request permission to approve the minutes of the City of Hialeah Council Meeting held on May 23, 2017. (OFFICE OF THE CITY CLERK) **APPROVED 7-0.**
- B. Request permission to cancel the upcoming July 11, 2017 and July 25, 2017 City Council meetings for summer recess, pursuant to §3.01 of the City Charter (OFFICE OF THE CITY CLERK) **APPROVED 7-0.**
- C. Request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid No. 16-VEL24.0, Specification #53, and issue a purchase order to Lake City G Automotive Management, LLC d/b/a Rountree-Moore Chevrolet/Cadillac, to purchase three (3) new 2017 Chevrolet Silverado 1500 ½ Ton 4-Door Crew Cab Pickup Truck – 4X2 vehicles, in the amount of \$84,159, and further request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid No. 16-VEL24.0, Specification #51, to purchase three (3) new 2017 Chevrolet Silverado 1500 ½ Ton Extended Cab Pickup Truck – 4X2 vehicles, in the amount of \$62,067, for a total cumulative expense amount not to exceed \$146,226. (BUILDING) **APPROVED 7-0.**
- ~~D. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2017-851, issued to Robert L. Hughes Company Incorporated, only local source for services rendered, for repair and certification of City of Hialeah fuel stations, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$25,000. (FLEET MAINTENANCE DEPT.) **WITHDRAWN**~~

- E. ~~Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2017-400, issued to Pat's Pump & Blower, L.L.C., an authorized Aquatech dealer of water pump parts and service, to purchase water pump parts and service, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$25,000. (FLEET MAINTENANCE DEPT.)~~ **WITHDRAWN**
- F. Report or Scrivener's Error – Item F of the City Council Meeting of April 11, 2017 was approved with the incorrect bid amount. The City Council approved to award the bid in the amount of \$44,047.11, plus an additional \$5,152.89 to cover any change orders that may occur due to unforeseen conditions. The item needs to be amended to reflect the bid amount as \$52,817.91, plus an additional \$3,382.09 to cover any possible change orders that may occur during construction. The subtotal of the plumbing category on page 3 of the Addendum submitted as backup documentation to the item is being corrected from \$13,553.10 to \$4,782.30. (GRANTS & HUMAN SERVICES DEPT.) **APPROVED 7-0.**
- G. Request from the City of Hialeah Grants and Human Services Department, for a street closure permit for the Art on Palm event, to be held on Friday, July 21, 2017, Friday, August 18, 2017 and Friday, September 15, 2017, from 6:30 a.m. to midnight, with the event hours being from 7:00 p.m. to 11:00 p.m. (OFFICE OF THE CITY CLERK) **APPROVED 7-0.**

REPORT: Motion to Approve Item G made by Councilman Hernandez, and seconded by Councilwoman Garcia-Martinez. Motion passed (7-0).

- H. Report of Scrivener's Error – Item C of the City Council Meeting of May 23, 2017 was approved to increase two existing purchase orders, 2017-1369 and 2017-1040. The item is being amended to issue a new purchase order in the amount of \$60,000, rather than increasing Purchasing Order No. 2017-1369. (OFFICE OF MANAGEMENT AND BUDGET) **APPROVED 7-0.**
- I. Proposed resolution approving and ratifying the Non-Exclusive Concession Management Services Agreement between Concession Management Systems, LLC and the City of Hialeah, Florida, a copy of which is attached hereto and made a part hereof as Exhibit "1", to provide concession management services to the City at designated locations for a quarterly fee of \$4,250.00, for a term of one year commencing on April 21, 2017 and ending on April 20, 2018, with an option to renew for three consecutive one-year terms; providing for an effective date. (PARKS AND RECREATION DEPT.) **APPROVED 7-0. RESOLUTION NO. 2017-052.**
- J. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Pro-Grounds Product, Inc., to purchase netting, in the amount of \$37,438.08, a purchase order to Riggers Equipment & Supplies d/b/a E-Rigging.com, for clips, in the amount of \$1,820, a purchase order to Maga Hardware Distributors Inc., for cable ties, in the amount of \$139.60, and a purchase order to Electrical Contracting Service, Inc., for the purchase and installation of a 60 feet concrete pole at Bucky Dent Park, in the amount of \$3,800, for a total cumulative expense amount not to exceed \$43,197.68. (PARKS AND RECREATION DEPT.) **APPROVED 7-0.**
- K. Proposed resolution approving the expenditure totaling an amount not to exceed thirty seven thousand five hundred and five dollars (\$37,505.00) from the Law Enforcement Trust Fund –

State, for the rental of vehicles, from Royal Rent-A-Car Systems of Florida, Inc., Vendor # 21162, upon such costs having been approved by the Chief of Police. (POLICE DEPT.) **APPROVED 7-0. RESOLUTION NO. 2017-053.**

- L. Proposed resolution authorizing the expenditure of an amount not to exceed ninety five thousand dollars (\$95,000.00) from the Law Enforcement Trust Fund – State, for costs associated with protracted and complex investigations, to satisfy vehicle liens, for confidential police informant fees, and to acquire investigative equipment or expertise, upon such costs having been approved by the Chief of Police. (POLICE DEPT.) **APPROVED 7-0. RESOLUTION NO. 2017-054.**
- M. Request permission to issue a purchase order to Communications & Network Solutions, Inc. sole source vendor, for the removal and disposal of the existing license plate reader system and to purchase, install, and configure a new license plate reader system at thirteen intersections throughout the City of Hialeah, in a total cumulative amount not to exceed \$350,000 for phase one of the project. (POLICE DEPT.) **APPROVED 7-0.**
- N. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to H & R Paving, Inc., to purchase asphalt material FOB plant at \$72.00 per ton and paver rental at \$950.00 per day, in a total cumulative amount not to exceed \$800,000. (STREETS DEPT.) **APPROVED 7-0.**
- O. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to General Asphalt Co., Inc., to purchase EZ Street hot asphalt material throughout the year for emergency roadway repairs, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$25,000. (STREETS DEPT.) **APPROVED 7-0.**
- P. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Pole Attachment Agreement with T-Mobile South LLC, a copy of which is attached to this resolution, for five years, commencing on the date signed by the Mayor, with an option to renew for four successive five year terms, for T-Mobile's use of the City's light poles located in the public rights-of-way for placement of wireless antennas and associated equipment; and providing for an effective date. (ADMINISTRATION) **APPROVED 7-0. RESOLUTION NO. 2017-055.**
- Q. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a professional services agreement with Walter H. Keller, Inc., as consultant to conduct the necessary analysis, evaluation and review of the Capital Improvement Program and other data to prepare a police impact fee study and police impact fee schedule, for a term of one year with an option to renew for one (1) additional year, in an amount not to exceed \$24,250.00, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1". (LAW DEPT.) **APPROVED 7-0. RESOLUTION NO. 2017-056.**
- R. Request permission to issue a purchase order to Walter H. Keller, Inc., consulting engineers and planners, to gather all the necessary data, analyze and prepare a rate study in support of the adoption of an impact fee ordinance, in a total cumulative amount not to exceed \$29,

750. Further request permission to authorize the Mayor and the City Clerk to enter into an agreement with Walter H. Keller, Inc. in a form acceptable to the City Attorney. (LAW DEPT.) **APPROVED 7-0.**

- S. Request permission to utilize Florida Sheriffs Association & Florida Association of Counties, Bid No. 16-VEL24.0, Specification #49, and issue a purchase order to AN Motors of Pembroke, LLC d/b/a AutoNation Chevrolet Pembroke Pines, to purchase a 2017 Chevrolet Silverado 1500, ½ Ton Pickup Truck – 4 X 2, in the amount of \$19,268, and further request permission to utilize Florida Sheriffs Association & Florida Association of Counties, Bid No. 16-VEL24.0, Specification #59, to purchase five (5) 2017 Chevrolet Silverado 2500 HD, ¾ Ton 4-Door Crew Cab Pickup Truck – 4 X 2, in the amount of \$30,307 per vehicle for three (3) vehicles with lift gate and two (2) vehicles without lift gate in the amount of \$27,057 per vehicle, for a total cumulative expense amount of \$164,303. (PARKS AND RECREATION DEPT.) **APPROVED 7-0.**

3. Board Appointments- **NONE**

4. Unfinished Business – **NONE**

5. New Business - **NONE**

6. Comments and Questions –

- **Mayor Hernandez spoke about the final budget of the state.**
- **Councilwoman Casáls-Muñoz spoke about Hialeah Race Track and horse racing.**
- **Lazaro R. Espina, 245 West 39 Place, Hialeah, FL. 33012, addressed the City Council regarding a Code Compliance related matter.**
- **Rolando Nieves Machado, 901 East 13 Street, Hialeah, FL. 33010, addressed the City Council regarding a Code Compliance related matter.**
- **Sivl Narvaez, 3241 West 97th Street, Hialeah, FL. 33018, addressed the City Council for clarification on items passed on the Consent agenda.**
- **Angolie Gallo, 800 West 74 Street, addressed the City Council regarding a code violation.**
- **Augustin Chenique, 2775 West Okeechobee Road, Lot # 122, Hialeah, FL., addressed the Council.**

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

REPORT: All were duly sworn in.**ZONING**

PZ.1 Second reading and public hearing of proposed ordinance granting a variance permit to allow one led reader board pylon sign on property located outside the LED geographic area; allow a maximum area of 200 square feet where 120 feet are allowed; allow a proposed height of 36 feet where a maximum of 20 feet are allowed; contra to Hialeah Code of Ordinances §§ 7-12(b), 7-12(g)(2)(b) and (c); property zoned C-3 (Liberal Retail Commercial). **Property located at 1990 West 84th Street, Hialeah, Florida;** repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (Applicant: Vizcaino Lucas Investments Inc.) **APPROVED 7-0. ORDINANCE NO. 2017-034.**

Item was approved by the City Council on first reading on May 23, 2017. Second reading and public hearing was scheduled for June 13, 2017.

Item was postponed by the City Council on May 9, 2017 until May 23, 2017.

Item was approved by the Planning and Zoning Board on April 26, 2017.

Planner's Recommendation: Approve variance to allow an LED reader board pylon sign on property located outside the LED geographic area; allow a maximum sign area of 200 square feet and allow a total maximum height of 36 feet.

Owner of the Property: Idalmis Vizcaino, 10960 SW 36 Street, Miami, FL. 33165.

REPORT: Motion to Approve the Item PZ 1, made by Councilwoman Casáls-Muñoz, and seconded by Councilwoman Garcia-Martinez. Motion passed (7-0).

PZ 2. Second reading and public hearing of proposed ordinance approving a final plat of Aquabella Section One; accepting all dedication of avenues or other public ways, together with all existing and future planting of trees; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date. **Property bounded by and directly adjacent thereto, on the north by theoretical N.W. 162nd Street, on the south by N.W. 154th Street, on the East by State Road #93/I-75 extension, and on the west by N.W. 97th Avenue, Hialeah, Florida.** (Applicant: Two Lakes Lennar, LLC) **APPROVED 7-0. ORDINANCE NO. 2017-035.**

Item was approved by the City Council on first reading on May 23, 2017. Second reading and public hearing was scheduled for June 13, 2017.

Item was approved by the Planning and Zoning Board on May 10, 2017.

Owner of the Property: Two Lakes Lennar, LLC, 730 NW 107th Avenue, 4th Floor, Miami, Florida 33172

REPORT: Motion to Approve the Item PZ 2, made by Councilwoman Casáls-Muñoz, and seconded by Councilman Caragol. Motion passed (7-0).

PZ 3. First reading of proposed ordinance granting a variance permit to allow 57 parking spaces, where a total of 80 spaces are required; 7 back-out spaces only allowed in Low Density Residential Districts; and 8 on-street parking spaces pursuant to § 98-2192(a) and (b); a 2% pervious area, where 10% is required; and waiving the 7-foot landscape buffer along the north and east side of the entire length of the property located at 3270 East 11th Avenue required by the latest edition of the City of Hialeah Landscape Manual § D(7); properties zoned M-1 (Industrial District); all contra to Hialeah Code of Ordinances §§ 98-2186, 2189(7) and (15), 98-2197(a) and § E of the latest edition of the City of Hialeah Landscape Manual. **Properties located at 3251 and 3270 East 11th Avenue, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective. (Applicant: *Shanghai Miami Way*) **APPROVED 6-0-1 with Council President not present during roll call.**

<i>Planners Recommendation: Approval</i>
<i>Item was approved by the Planning and Zoning Board on May 24, 2017.</i>
<i>Owner of the Property: Shanghai Miami Way, 3251 East 11 Avenue, Hialeah, FL. 33013</i>

REPORT: Motion to Approve the Item PZ 3, made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Casáls-Muñoz. Motion passed 6-0-1 with Council President Gonzalez not present during roll call. Second reading and public hearing is scheduled for June 27, 2017.

LAND USE AMENDMENTS

LU 1. First reading of proposed ordinance amending the Future Land Use Map from Medium Density Residential to High Density Residential; **property located at 423 East 27th Street, Hialeah, Florida**, zoned R-3 (Multiple Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (Applicant: *Marcelo O'Shea and Betina Arazi*) **APPROVED 6-0-1 with Council President not present during roll call.**

<i>Planners Recommendation: Approval</i>
<i>Item was approved by the Planning and Zoning Board on May 24, 2017.</i>
<i>Owner of the Property: Marcelo O'Shea and Betina Arazi, 2600 Island Blvd., #2002, Aventura, FL 33160</i>

REPORT: Motion to Approve the Item LU 1, made by Councilwoman Garcia-Martinez, and seconded by Councilman Hernandez. Motion passed 6-0-1 with Council President Gonzalez not present during roll call. Second reading and public hearing is scheduled for June 27, 2017.

LU 2. First reading of proposed ordinance amending the Future Land Use Map from Medium Density Residential to Commercial; **property located south of NW 170th Street, east of NW 97th Avenue and west of Interstate Highway 75 (I-75), Hialeah, Florida**, zoned AU (Agriculture), MDC designation; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Alejandro J. Arias, Esq., on behalf of Atlas Hialeah Heights, LLC*) **APPROVED 6-0-1 with Council President not present during roll call.**

<i>Planners Recommendation: Approval</i>
<i>Item was approved by the Planning and Zoning Board on May 24, 2017.</i>
<i>Owner of the Property: Pending information from Planning and Zoning Department</i>

REPORT: Motion to Approve the Item LU 2, made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Casáls-Muñoz. Motion passed 6-0-1 with Council President Gonzalez not present during roll call. Second reading and public hearing is scheduled for June 27, 2017.

LU 3. First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to Medium Density Residential; **property located at 170 East 34th Street, Hialeah, Florida**, zoned R-3 (Multiple Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Juan A. Rodriguez and Mirta C. Rodriguez*) **APPROVED 6-0-1 with Council President not present during roll call.**

<i>Planners Recommendation: Approval</i>
<i>Item was approved by the Planning and Zoning Board on May 24, 2017.</i>
<i>Owner of the Property: Juan A. & Mirta Rodriguez, 3295 West 4 Avenue, Hialeah, FL 33012</i>

REPORT: Motion to Approve the Item LU 3, made by Councilwoman Casáls-Muñoz, and seconded by Councilwoman Garcia-Martinez. Motion passed 6-0-1 with Council President Gonzalez not present during roll call. Second reading and public hearing is scheduled for June 27, 2017.

NEXT CITY COUNCIL MEETING: Tuesday, June 27, 2017 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, August 22, 2017 at 6:30 p.m.

REPORT: The meeting was adjourned by Council Vice President Cue-Fuente at 8:11 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).